

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

GENERAL TRUCK DRIVERS,
WAREHOUSEMEN, HELPERS
SALES AND SERVICE, AND
CASINO EMPLOYEES,
TEAMSTERS LOCAL UNION NO.
957,

Plaintiff,

Case No. 3:11cv420

vs.

JUDGE WALTER H. RICE

HEIDELBERG DISTRIBUTING
COMPANY,

Defendant.

DECISION AND ENTRY DISMISSING CAPTIONED CAUSE WITH
PREJUDICE; TERMINATION ENTRY

On March 6, 2013, this Court filed a Decision and Entry dismissing Count 1, without prejudice to Plaintiff filing an amended complaint within ten (10) days of March 6, 2013, and dismissing Count 2 of the Plaintiff's Complaint, setting forth a state law breach of contract case, with prejudice.

As of the date of the dictation of this Decision and Entry, March 25, 2013, the Plaintiff has not filed an amended complaint as to Count 1, a count that had been previously dismissed without prejudice to the filing of such an amended complaint.

Accordingly, Count 1 of the Plaintiff's Complaint is dismissed, with prejudice, and, since Count 2 had been previously dismissed with prejudice, the captioned cause is dismissed, with prejudice.

The captioned cause is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

March 26, 2013



WALTER HERBERT RICE, JUDGE
UNITED STATES DISTRICT COURT

Copies to:

Counsel of record